

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 10, 2018

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daryl McCann

Case Number: 0980 2:05CR00168-WFN-3

Address of Offender:

Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: June 13, 2006

Original Offense: Conspiracy to Possess with Intent to Distribute 50 Grams or More of Actual Methamphetamine, 21 U.S.C. §§ 846, 841(a) and (b)(1)(A)

Original Sentence: Prison 120 months; Type of Supervision: Supervised Release
TSR - 120 months

Asst. U.S. Attorney: Scott Jones

Date Supervision Commenced: January 31, 2018

Defense Attorney: Roger Peven

Date Supervision Expires: July 1, 2020

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Special Condition # 4:</u> You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.</p> <p><u>Supporting Evidence:</u> On July 3, 2018, Daryl McCann entered into inpatient substance abuse treatment at Sun Ray Court. On July 9, 2018, the undersigned officer was notified that Daryl McCann was being terminated from said program. Specifically, he was being terminated after continuing to test positive for methamphetamine, and after a urinalysis deception device was located in his room. Subsequently, Daryl McCann was discharged unsuccessfully from Sun Ray Court inpatient treatment on July 10, 2018.</p>
2	<p><u>Special Condition # 5:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p>

Re: McCann, Daryl

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Supporting Evidence: On July 9, 2018, the undersigned officer was notified by staff at Sun Ray Court inpatient treatment that Mr. McCann was continuing to test positive for methamphetamine after being in inpatient treatment for more than 5 days.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 10, 2018

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

7/10/18

Date